UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO. 3:22-CV-00252-FDW-SCR

KAITLIN BRADY,)
Plaintiff,)
v.	ORDER
AYMAN S. ABUSAMAK AND A STEP ABOVE LIMO SERVICE, LLC,)
Defendants.)))

THIS MATTER Court following the Court's review of the Parties' "Notice of Resolution," (Doc. No. 38). In that pleading, counsel indicates the parties indicate they have resolved this matter and anticipate filing a Joint Stipulation of Dismissal within thirty (30) days.

The Court commends counsel and the parties for resolving this matter with a mutually-agreeable settlement; however, the parties have reached this resolution on the eve of trial, which is set to begin with jury selection in just a few days on July 17, 2023. Although it appears the parties intend to finalize the settlement process, the Court finds no sufficient basis under the current record to stay deadlines or continue trial. Landis v. N. Am. Co., 299 U.S. 248, 254 (1936) ("the power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants."); United States v. Janati, 374 F.3d 263, 273 (4th Cir. 2004) (stating that "district courts have wide-ranging control over management of their dockets" and that "[t]he scope of the district court's discretion . . . is and must be particularly broad"). Therefore, to the extent the parties move the Court for a stay of deadlines and a continuance of trial, that request is DENIED.

Counsel is hereby advised they are expected to appear for: (1) docket call at 9:00 a.m. on July 17, 2023; and (2) a pretrial conference immediately following docket call. (See Doc. No. 37). Of course, the parties can file their Stipulation of Dismissal any time, including prior to docket call, at which time the Court will remove this case from the trial calendar and terminate the deadlines set forth herein.¹

IT IS THEREFORE ORDERED that the deadlines in this matter will remain as previously set, beginning with docket call at 9:00 a.m. on July 17, 2023.

IT IS SO ORDERED.

Signed: July 11, 2023

Frank D. Whitney United States District Judge

¹ The Court notes, however, that the Case Management Order in this case provides:

Whenever a civil action scheduled for a jury trial is settled or otherwise disposed of in advance of the actual trial, the Court may assess all jurors' costs (including Marshal's fees, mileage reimbursement, and per diem fees) equally against the parties or otherwise may determine appropriate assessments, unless the Clerk's office is notified at least one (1) full business day prior to the date on which the action is scheduled for trial or the parties establish good cause why the Court should not assess jury costs against them.

⁽Doc. No. 12, p. 14). The stipulation of dismissal must therefore by filed no later than 12:00 p.m. on Friday, July 14, 2023, in order to give the Clerk of Court sufficient time during the business day to advise the jurors who have already been summonsed that they need not appear for trial in this matter.